



**DEPARTMENT OF THE NAVY
OFFICE OF THE JUDGE ADVOCATE GENERAL
1322 PATTERSON AVENUE SE SUITE 3000
WASHINGTON NAVY YARD DC 20374**

IN REPLY REFER TO:
5211
Ser 13/3FA0351.2
April 30, 2020

Mr. Craig Whitlock
1301 K Street N.W.
Washington DC, 20071

Dear Mr. Whitlock:

SUBJECT: FREEDOM OF INFORMATION ACT REQUEST DON-NAVY-2020-003843

This responds to your above-referenced Freedom of Information Act (FOIA) request dated January 22, 2020. You request the following information: "records related to the Navy JAG Corps' Ethics Counselor Working Group (ECWG) and its recommendations for enhanced ethics policies and training."

This response is provided on behalf of the Office of the Judge Advocate General (OJAG). Your request was processed in accordance with the FOIA (5 U.S.C. § 552) and the Department of the Navy Freedom of Information Act Program (SECNAVINST 5720.42G).

Individuals in OJAG who were most knowledgeable about the likely location of responsive records searched shared computer drives, email accounts and hardcopy files for any documents responsive to your request. I conducted a releasability determination on the 139 pages of responsive documents that were found; I am partially releasing 40 pages, and fully withholding 99 pages of draft documents.

My redactions are pursuant to FOIA exemptions (b)(5) and (b)(6). Portions of the partially released documents, and all 99 pages that are fully withheld contain materials protected by the pre-decisional deliberative process privilege, disclosure of which could stifle future necessary free and frank communications, as well as attorney work product and attorney client privilege. Additionally, portions of the responsive documents were redacted as they contain privacy-sensitive information, disclosure of which would constitute a clearly unwarranted invasion of personal privacy that is not outweighed by the FOIA public interest in disclosure.

I am the official responsible for the processing of your request. An adverse determination may be appealed, in writing, to OJAG (General Litigation Division (Code 14)), 1322 Patterson Avenue, SE, Suite 3000, Washington Navy Yard, DC 20374-5066. Should you wish to appeal this matter, I recommend your envelope and statement bear the notation "FOIA Appeal." Your appeal must be postmarked within 90 days of the date of this letter. No fees were generated by this request. You may also appeal via FOIA Online.

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For any further assistance and to discuss any aspect of your request, you have the right to contact the DON FOIA Public Liaison at DONFOIAPublicLiaison@navy.mil. Additionally, you have the right to contact the Office of Government Information Services (OGIS) to inquire about the FOIA mediation services they offer. The contact information of OGIS is: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you have any questions, please contact CDR Dom Antenucci, JAGC, USN, who may be reached by e-mail at dominic.antenucci@navy.mil.

Sincerely,

S. E. MILEWSKI
By direction of
Deputy Assistant Judge Advocate General
(Administrative Law)
Office of the Judge Advocate General